

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

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|----------------------------|---|-------------------------------------|
| NICOLE MANNING, | : | Case No. 3:19-cv-289 |
| | : | |
| Plaintiff, | : | District Judge Walter H. Rice |
| | : | Magistrate Judge Sharon L. Ovington |
| vs. | : | |
| | : | |
| COMMISSIONER OF THE SOCIAL | : | |
| SECURITY ADMINISTRATION, | : | |
| | : | |
| Defendant. | : | |

DECISION AND ENTRY

The Court has conducted a *de novo* review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #14), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections, if any, under Fed. R. Civ. P. 72(b), has expired, this Court hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 8, 2020 (Doc. #14) is **ADOPTED** in full;
2. The Commissioner's non-disability finding is **VACATED**;
3. No finding is made as to whether Plaintiff Nicole Manning was under a "disability" within the meaning of the Social Security Act;
4. This matter is **REMANDED** to the Social Security Administration under sentence four of 42 U.S.C. §

405(g) for further consideration consistent with the Report and Recommendations and this Decision; and

5. The case is terminated on the docket of this Court.

IT IS SO ORDERED.

06/05/2020

Walter H. Rice

(tp - per Judge Rice
authorization after his review)

Walter H. Rice
United States District Judge